

REMARKS

Claims 2-13 are pending in the present application. Claims 2-13 were rejected under 35 U.S.C. §102(b) as being anticipated by Onuki et al., U.S. Patent No. 5,508,517.

Claims 2-4, 6 and 12-13 have been amended. Reconsideration of the application is respectfully requested.

Rejections under 35 U.S.C. §102(b)

Claims 2-13 were rejected under 35 U.S.C. §102(b) as being anticipated by Onuki et al., U.S. Patent No. 5,508,517.

Onuki et al. describes a scanning probe type microscope apparatus having a cover 14 and an objective lens disposed in an opening of the cover. See Onuki et al. col. 5, lines 31-37, and Fig. 1.

Independent claim 12 of the present application has now been amended to recite an apparatus for receiving microdissected specimens on an X-Y stage, the apparatus including

a displacement device configured to receive the first and second receptacles and displace the first and second receptacles in the displacement space relative to the opening [in a contamination shielding panel] so as to bring the first and second receptacles one at a time into a collection position in an alignment with the opening, the respective first or second receptacle being covered by the contamination shielding panel when not in the collection position.

Support for this amendment may be found, for example, at Figs. 1, 7 and 8 and the accompanying description at page 5, lines 1-8, and page 8, line 26, through page 9, line 10, of the specification. It is respectfully submitted that no new matter has been added.

It is respectfully submitted that Onuki et al. does not teach or suggest the above-recited features of amended claim 12. Onuki et al. does not bring one receptacle at a time into a collection position in alignment with an opening in a contamination shielding panel with the receptacle not in the collection position being covered by the panel. In contrast, Onuki et al.

has a single holder 9, which is moreover not covered by a shielding panel when not in a collection position, to the extent any collection position exists in the Onuki et al. device. Because it is missing at least the above-recited features of claim 12, it is respectfully submitted that Onuki et al. cannot anticipate this claim or its dependent claims.

Withdrawal of the rejection of independent claim 12 and dependent claims 2-11 and 13 under 35 U.S.C. §102(b) based on Onuki et al. is respectfully requested.

New claim

New claim 14 recites that the displacement device includes a first holding element with the attendant features as originally recited in claim 12. It is respectfully submitted that no new matter has been added, and that new claim 14 is patentable over the Onuki et al. reference for the same reasons that independent claim 12 is.

CONCLUSION

It is respectfully submitted that the application is now in condition for allowance.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By: 

Erik R. Swanson, Reg. No. 40,833

Davidson, Davidson & Kappel, LLC
485 Seventh Avenue, 14th Floor
New York, New York 10018
(212) 736-1940